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COMMITTEE ON THE RIGHTS OF THE CHILD

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SUMMARY RECORD OF THE 663rd MEETING

Held at the Palais Wilson, Geneva,
on Tuesday, 3 October 2000, at 10 a.m.

Chairperson: Ms. OUEDRAOGO

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GE.00-44813 (E)

The meeting was called to order at 10.05 a.m.

CONSIDERATION OF REPORTS OF STATES PARTIES (agenda item 4) (continued)

Initial report of the Slovak Republic (CRC/C/11/Add.17; CRC/C/Q/SLO/1; written replies of the Government of the Slovak Republic to the questions raised in the list of issues (document without a symbol, distributed in the meeting room in English only))

1. At the invitation of the Chairperson, the members of the delegation of the Slovak Republic took places at the Committee table.

2. Ms. BAUER (Slovak Republic) said that the initial report had been prepared by the Ministry of Foreign Affairs in close cooperation with other relevant sectors; since its submission in 1998, a number of new measures had been enacted to implement the Convention on the Rights of the Child. The Slovak Republic had become a State party to the Convention by succession in 1993, after the dissolution of the Czech and Slovak Republic. The Slovak Constitution guaranteed fundamental rights and liberties; political, economic, social and cultural rights; the rights of national minorities and other ethnic groups; and the right to judicial and legal protections. It also guaranteed the right to life - even that of an unborn child. Slovak law protected marriage, parenthood and the family, and provided special protection to children and adolescents. All children, whether or not born to married parents, enjoyed the same rights. Parental rights, which included childcare and education, were regulated by law, and children could only be removed from their parents by an order of the court. Parents who cared for their own children had the right to be supported by the State. All persons had a right to education, health care, and a favourable environment, and the first 10 years of education were compulsory.

3. Although considerable progress had been made in the area of child assistance in recent years, much work remained to be done. In the view of her Government, the role of the State in a democratic society was to create the necessary legal, economic and institutional frameworks to enable families to take responsibility for themselves. In 1995 and 1996, the Government had launched new family policy strategies which focused on the family as a relatively independent social unit with unique social functions, and which were grounded in various studies conducted on the situation of the family in the Slovak Republic. It was also concerned, on a continuous basis, with the implementation of both those measures and the provisions of the Convention.

4. In 1998, a Social Assistance Act had been adopted which altered the system for providing legal remedies for children, provided for social prevention and social guidance, in particular through social work, and established a new approach to assistance for children by local governments, self-governing municipalities and non-governmental organizations (NGOs). Current social and legal protections were not optimal, and efforts to strengthen them must continue.

5. In 1999 Act No. 183/1999 was established, amending the terms of the Penal Code by providing punishments for such offences as corruption of morals; publishing, distributing or possessing pornographic materials featuring children; ill-treating detained children and employing children. The Act constituted an effort to react to contemporary circumstances and to

respond to the urgent needs of children. In addition, the Ministry of Justice was elaborating reforms to the Penal Code which would take into consideration contemporary thinking in such fields as pedagogy, sociology, and child psychology and psychiatry, and which sought to strike a balance between prevention and punishment. In accordance with its commitments under various international legal instruments, the Slovak Republic planned to establish a coherent legal system for young offenders based on the principles of the Convention.

6. Also in 1999, the Slovak Republic had joined those States parties working to improve the efficiency of the Committee on the Rights of the Child, and, in that regard, had approved the amendment to article 43, paragraph 2 of the Convention. Furthermore, the Slovak Parliament had adopted the Hague Convention on the Civil Aspects of International Child Abduction, and the process of ratifying the Hague Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption was under way. The Slovak Republic had been the second country to ratify the International Labour Organisation Worst Forms of Child Labour Convention, 1999 (No. 182).

7. In the year 2000 the Government had established the Slovak Committee on the Rights of Children, which would act as a consultant in all matters regarding the protection and monitoring of the rights and interests of children. That Committee, which had a membership of 16, was chaired by the Minister for Labour, Social Affairs and the Family; other members were representatives of the central Government and of the self-governing municipalities, and members of NGOs working in the field of children. The Slovak Committee submitted its conclusions and findings to the relevant administrative bodies, or, if necessary, to the Government itself, and proposed measures for resolving problems. It also submitted proposals for the establishment of programmes and strategies to improve the position of children in society, with particular attention to children suffering from physical or psychological abuse, children with drug addictions, and other socially pathological problems, children without families, children in financial or social need and children who behaved erratically. It was responsible for developing a system for informing children about their rights and a system for polling children's views about their rights and for collecting statistics about children, and for implementing other reforms designed to create an efficient, lasting system for the protection of children's rights and interests. Another important task was the preparation of the periodic report to the Committee on the Rights of the Child, with the cooperation of non-governmental organizations (NGOs). The Slovak Committee on the Rights of Children might gradually be transformed into an Ombudsman's office.

8. Slovak family policy held that the family was essential in the personal development of a child, and that alternate solutions could not be considered equal. On that basis, the Government was creating a legislative and institutional framework for the implementation of care, with emphasis on the rights of children to their own parents and family environment. Several significant changes in the transformation of children's homes and the provision of childcare in institutional settings had already been achieved, with considerable assistance from NGOs. Scientific research had shown the importance of a family environment in shaping a child's personality, and had demonstrated that children living in collective childcare institutions suffered from emotional deprivation which compromised their later ability to work, to socialize and to

create stable families. Efforts were under way to find new institutional models that more closely resembled the family experience, such as the use of "professional parents" attached to children's homes. There were currently 80 children's homes in the Slovak Republic, lodging an estimated 3,600 children; six of those homes were non-governmental, religious institutions caring for about 150 children.

9. The Government had taken a number of measures to establish a legislative framework for prevention, information and treatment in relation to a number of social problems that had evolved during the 1990s, among them criminality and drug addition. Those measures involved the participation of the central administration, self-governing municipalities, local governments and NGOs; special attention was paid to the problems of children and adolescents.

10. The Roma community admittedly constituted a significant problem. According to estimates, there were 350,000 Roma in the Slovak Republic, and children lived in extremely bad conditions in the Roma settlements. In August 2000, the Government had presented its initial, second and third periodic reports to the Committee on the Elimination of Racial Discrimination, and it appreciated the assistance of that body in finding solutions to the problem of the Roma.

11. Ms. TIGERSTEDT-TÄHTELÄ said that the introductory statement had described many favourable new developments in the implementation of the Convention in the Slovak Republic. Although the report followed the Committee's general guidelines, it was too short; the written replies, on the other hand, provided a comprehensive view of the various legislative and policy reforms which had been introduced. Although a basic system for the implementation of economic, social and cultural rights of children and a social assistance system had been developed, in her view the Government should attempt to gain a deeper understanding of the meaning of the rights of the child. The Convention focused on the child as a human individual with independent rights; although children needed protection, they must also be seen as competent persons in their own capacity, able to influence decisions of importance to their lives. She regretted the lack of a core document which would provide basic information on the political and economic situation in Slovakia; the data provided on health and education was also insufficient.

12. She would appreciate a description of the democratic participation and decision-making process at the local and regional levels. How were health, education and social services financed, and had the tax structure or the administrative apparatus been decentralized? Were the local and regional authorities able to make their own decisions concerning health and education, or were policies strongly influenced by the central authorities through the State budget? She would also like to know how the legislation was put into practice, for instance with regard to child custody. What was the proportion of the State budget devoted to health, education and social services, and were their shares currently increasing or declining? Were such resources spent directly by the national Government or were they transferred to local administrations, which could then dispose of them as they pleased? She had heard that individuals must pay for part of health and social security services. Were such services run privately, or were they managed by State-owned entities?

13. Mr. FULCI asked whether the Government would consider withdrawing its reservation to article 7 of the Convention. Under the country's Constitution, the Convention took precedence over national law. Were there any examples in which the Convention had been directly invoked in court? Could the delegation cite Children's rights programmes which were supported by international bilateral assistance? The Committee strongly believed that the implementation of the Convention should involve all of civil society, in particular NGOs. Had any such organizations taken part in the drafting of the report? Lastly, it was encouraging that the Government was considering gradually establishing an Ombudsman's office on the basis of the Slovak Committee on the Rights of Children. Could the delegation inform the Committee of the possible time-frame for the establishment of such an office?

14. Ms. EL GUINDI said that the report and the written replies mentioned a number of institutions, including the Slovak Centre for Human Rights, the human rights clubs of the country's law faculties and the Slovak Committee on the Rights of Children, as well as the possibility of setting up an Ombudsman's office. Which service was responsible for the coordination of all those bodies? Who was in charge of the implementation, monitoring and follow-up of the National Action Plan for children? The Slovak Committee on the Rights of Children was chaired by the Minister of Labour, Social Affairs and Family, and was composed of 16 members. However, it did not include representatives of the ministries dealing with health, education, culture or information. What was the relationship between the Slovak Committee on the Rights of Children and the other ministries? What role had the Ministry of Labour, Social Affairs and Family and the other ministries played in the drafting of the report, which had been prepared by the Ministry of Foreign Affairs?

15. Ms. RILANTONO asked whether the Slovak Committee on the Rights of Children included regional branches, or whether similar institutions existed at the local level. The delegation had indicated that that body might gradually evolve into an Ombudsman's office. In her view, the two concepts were quite different, as the former provided coordination and advice while the latter's main purpose would be to receive, investigate and follow up complaints.

16. She commended the Government's focus on the strengthening of the family. Many children's rights problems had their origins in broken homes. Were there any programmes or policies aimed at providing training and education in parenting, and if so, when did such training begin? It was not clear from the replies whether any activities were being conducted to raise awareness of children's rights in the school system. Were such rights covered in the school curriculum?

17. Mr. DOEK asked whether the members of the Slovak Committee on the Rights of Children and the Slovak Centre for Human Rights were elected or appointed. In its written reply to question 3, the State party indicated that the Slovak Committee on the Rights of Children met once every two months and worked on the basis of its own main task plan. He would welcome information about that plan. The written reply to question 4 contained detailed information on efforts to raise awareness of the rights of the child. Was there an awareness programme for the general public? How much of the extensive information material produced by the Slovak Centre for Human Rights was oriented respectively toward the general public and professionals dealing

with children? There was little information on the efforts undertaken to enhance knowledge of the rights of the child among professionals. With what regularity were social workers, policemen, judges, lawyers and others who dealt with children trained in human rights matters?

18. According to the written replies, the establishment of a centre for the monitoring of racism and xenophobia had been deferred. What functions would such a centre have, and how would it correspond to the other human rights bodies in the country? While it was commendable that a children's parliament had been established, composed of representatives from children's homes and other institutions, it was unclear how its members were selected. How did that body work in practice? Were the findings and documents it produced submitted to the institutions and children's homes and followed up in any way? Slovakia had not ratified the European Convention on the Exercise of Children's Rights, and the Government apparently did not intend to do so in the near future because of the need to revise the Civil Code. Why would such a revision preclude ratification of that instrument?

19. According to the report, a child must be heard by a judge in matters of marriage and adoption, but with regard to protection measures, only if the court considered it "suitable" to hear his or her views. From his own experience as a judge, he believed that would risk placing the child in far too weak a position in extremely serious cases, for example involving placement in an institution.

20. Ms. MOKHUANE, noting the high illiteracy rate among the adult Roma population, asked what methods had been used to raise awareness of the Convention and the rights of the child among Roma adults and children. What did members of civil society, particularly children, think of the Convention? How relevant was it to their daily lives? Although the delegation had referred to measures taken to combat discrimination, it had not elaborated on the steps the Government had taken to counter the skinhead movement. Were there any mechanisms for the review of placement of children in special schools for the retarded? According to the information she had received, their assignment to such schools was very rarely subject to any review at all. Some teachers were reportedly promoting segregation in the schools. Had the Government taken any measures against that phenomenon?

21. Mr. RABAH, noting that the activities of the Slovak Centre for Human Rights were financed from the State budget, asked how much the Centre received, and whether it could maintain its independence in such circumstances. Why had the establishment of a centre for the monitoring of racism and xenophobia been deferred? Pending the establishment of an Ombudsman's office, to whom were complaints of the violation of children's rights currently addressed? According to the written reply to question 4, the Ministry of Education had held a seminar with the IUVENTA programme devoted to the rights of the child at the end of the millennium. Who had taken part in the seminar, and what topics had it addressed? The measures taken against racial discrimination appeared to be oriented exclusively toward repression. Had any awareness campaigns been carried out in high schools, universities or the media to combat racial discrimination? Was the children's parliament a permanent body, and were there any plans to set up similar institutions, for example for children living in rural areas?

22. Ms. KARP commended the State party for sending a high-level delegation, thus demonstrating the importance it attached to the dialogue with the Committee. She shared Ms. Rilantono's doubts as to whether an advisory and coordinating body could evolve into an objective, independent Ombudsman's office. Slovakia had reportedly been about to adopt legislation to set up an Ombudsman's office, for which it had received technical assistance from the Office of the United Nations High Commissioner for Human Rights. What had prompted the Government to halt its efforts to set up an Ombudsman office separate from the Slovak Committee on the Rights of Children?

23. The Special Rapporteur on the Independence of Judges and Lawyers had expressed concern about the attempt by the Government to remove a Supreme Court judge in an unconstitutional manner. The question of the independence of the judiciary was directly related to the culture of human rights and also indirectly linked to the enjoyment of children's rights. She would appreciate information about the independence of the courts in Slovakia.

24. The written reply to question 8 referred to the "examination" of minors in adoption cases. While the difference between examining a minor and hearing his or her views might be merely semantic, she expressed concern that the use of the word could reflect a patronizing attitude according to which the child was treated as a mere object, and not as a subject of law. The views of the child were indispensable material which must be taken into consideration by any judge hearing an adoption case. According to the replies, the child's views were taken into consideration only if the child was able to understand adoption and if the hearing was not in contradiction with his or her best interests. In a case involving adoption, which had an enormous impact on the child's life, it was very difficult indeed to imagine a situation in which hearing the views of the child would be contrary to his or her best interests. In most cases in Slovakia, children's views were reportedly heard through a person appointed to interview the child, and not directly by the judge. She knew from experience that judges were sometimes disinclined to interview children, as they were often not trained in the proper communication techniques. What had been done in Slovakia to encourage judges to hear children's views firsthand?

25. To her knowledge, Slovakia was the only country which had taken the commendable step of establishing a children's parliament for children in care institutions, who were among the ones most in need of participation. Why did that body exclude children under the age of 15? In care institutions, where children were often more mature than their ages might suggest, many children under 15 might be perfectly capable of taking part in the children's parliament. In the same vein, the children's councils that existed only in secondary schools should perhaps be extended to other schools as well. It was important to take account of evolving capabilities in defining the possibilities for participation.

26. According to the written replies, the national Parliament was due to review and evaluate the children's parliament in September 2000. Had that evaluation been carried out? If so, what had it concluded? Lastly, were there any examples of cases in which the courts had ruled in favour of the best interests of the child in cases where the child was in conflict with the parents?

27. Ms. TIGERSTEDT-TÄHTELÄ asked whether the exercise of the right to non-discrimination had changed with the 1999 Strategy for the Roma or whether the latter was a somewhat loose set of policies to be enforced in tandem with the constitutional provisions.

28. Special positive measures appeared to be in place to boost the social integration of Roma children. However, in accordance with article 2 of the Convention, it was not sufficient for the State party to ban discrimination; it must also ensure that all children living within its jurisdiction received equivalent treatment. That meant, surely, that for vulnerable children to achieve the same conditions as ordinary children, the human rights situation of the former would have to improve. Did the delegation consider that non-discrimination provision to be in conformity with the Convention?

29. The Government evidently set great store by the Strategy itself, which comprised many different policies. The Strategy depended partly on international cooperation and partly on the State budget. Was there any legislation covering those projects? Given the country's poor social and economic development, the Government was demonstrating its political will to help the Roma by allocating budget resources, but should not the projects under the Strategy be covered by legislation?

30. Ms. RILANTONO said that the Roma problem appeared to constitute a vicious circle of poverty, social isolation and inadequate education. Why did the Roma attend special schools intended for retarded children: was it because schools were in short supply, or because the fees at special schools were low?

The meeting was suspended at 11.35 a.m. and resumed at 11.50 a.m.

31. The CHAIRPERSON invited the delegation of the Slovak Republic to reply to the questions put by the Committee members.

32. Mr. PETŐCZ (Slovak Republic) said that, given the absence of a core document, he would present an overview of the country's structure. The previous 10 years had been a period of huge political, economic and social upheaval for the population, one marked by numerous changes - from a closed to an open society; from a State-controlled to a market economy and from an isolationist to an outward-looking foreign policy - and by the ethnic reactivation of the Hungarian and Roma minorities and the movement towards the revival of Slovak nationhood, following Slovakia's 70 years as a component of a single-State Czechoslovakia. Even the Federation of the last 24 years of that period had been highly centralized.

33. The Roma had never been recognized by the communist regime of the former Czechoslovakia. Only since 1991 had they been free to admit to their ethnic origin, an opportunity most were reluctant to seize when it had been dangerous to do so for 50 years, hence the relatively small numbers registered in the 1991 census. A degree of legislated affirmative action for the Roma and other minorities still existed, but the new Strategy could be the cornerstone for further legislation in that area.

34. Replying to a question by Ms. Tigerstedt-Tähtelä, he said that for 40 years public administration had been highly centralized in the former Czechoslovakia. The situation had undergone a radical change, and 1990 had seen the enactment of a progressive local self-government law, comparable to any in Europe, including the countries of the

European Union. The next step should have been the adoption of legislation concerning the second level of elected self-governments, which had been shelved for various reasons. However, preparations were currently under way for a complex new system of public administration, including the aforementioned second level, and the clear division of powers and responsibilities between the State administration and local and regional bodies.

35. Ms. BAUER (Slovak Republic) said that Slovakia currently showed a gross domestic product (GDP) of Slovak Krone (SK) 760 billion with an exchange rate of SK 50 to the United States dollar. Of that amount 6 per cent was allocated to health and 14 per cent to social spending. However, not all the expenditure came from the Government budget, because the health and social security services operated on the basis of insurance companies, contributions to which provided most of the necessary resources. Private insurance companies did exist, but solely as a secondary support for basic insurance.

36. The country's tax system was very similar to that in other market-economy countries, subdivided into local and central administration. The locally elected self-governing administrations levied their own taxes, which were not required to be paid into the State budget, and could use their finances at the local level as they saw fit. That having been said, education in Slovakia was still centrally controlled, except for leisure activities and pre-school education. The reform of the public administration would introduce changes with regard to social services, decentralizing them to the level closest to the population.

37. The high unemployment rate was a major problem which varied from region to region. Regrettably, the areas with the highest rates were those inhabited by large numbers of Roma, who because of their poverty were unable to promote themselves. Roma unemployment was high because of the Roma's low level of skills. While the main objective should therefore be to improve their skills, such action involved complex issues, such as traditional values, which did not normally place a high premium on education. There were also differences among the Roma: some were integrated into urban life, but problems were particularly pronounced for those in enclosed settlements.

38. Accordingly, most projects focused on the educational level of the community. They included projects for mothers in maternity clinics, which the organizers considered to be an ideal place to begin education in hygiene and other areas, gradually extending the talks to education and school attendance. Another focus was on measures to ensure that all children of school age were put on an equal footing.

39. Regarding the Ombudsman's office, article 151 (a) of the Slovak Constitution clearly stipulated that the post of Ombudsman would be created three years following the constitutional amendment to that effect. Meanwhile, it had been decided to set up the Slovak Committee on the Rights of Children, which would perform some duties that would later pass to the Ombudsman. A gradual transformation would ensue and the Slovak Committee would play a different role once the Ombudsman's office was in place.

40. Mr. GURAN (Slovakia) said that after the 1998 elections the Slovak Committee had been set up within the Ministry of Labour, Social Affairs and Family. It had been officially installed in June 2000 with the Minister himself as chairman and a member of the Slovak Committee for UNICEF (an NGO) as vice-chairman. The members, representing all the major ministries, submitted proposals concerning priorities for children's rights. Also represented, in addition to the Slovak Committee for UNICEF, were two NGOs specializing in foster care. Inasmuch as all members sat on an equal footing, the Government representatives could not impose their views or priorities.

41. The second meeting of the Slovak Committee would be held upon the delegation's return to Slovakia to report on its meeting with the Committee on the Rights of the Child. Legislation was important, but the Slovak Committee would press Members of Parliament for more expeditious ratification of outstanding international instruments, especially the 1993 Hague Convention on Protection of Children and Cooperation in Respect of Inter Country Adoption. Also on the table was ratification of the European Convention on the Exercise of Children's Rights, which was contingent upon the establishment of the Ombudsman's office. The Slovak Centre for Human Rights, an independent body, had been founded in 1993 through an agreement between the Slovak Republic and the United Nations. In accordance with the agreement, its financing had originally come from a United Nations Voluntary Fund and had later been assumed by the Government.

42. Establishment of the Monitoring Centre on Racism and Xenophobia was one of the country's priorities for 2001, and the Government had already allocated funds for the purpose. It was also a condition of compliance with the European Union's acquis communitaires. The Centre would be an independent authority, but discussion was in progress on whether it should be attached to the existing Centre for Human Rights.

43. Adoption was a two-stage process, beginning with mediation at the district level. The district authorities held lists of potential adoptive parents and children for adoption and were responsible for facilitating contact between them. Representatives of the care institutions where the children were placed were also an integral part of the process. Prospective parents were required to produce the necessary documents and participate in the activities organized by the counselling network, comprising 60 centres, which assisted with adoptions and foster care arrangements and meetings between prospective adoptive parents and children. However, the final decision lay with the courts. Judges decided whether the child should be heard in the courtroom or in a more private setting, by themselves or some other person, including the child's legal guardian. The court's decision was followed by a six-month period of pre-custody care before the adoption became final. The adoption process was admittedly lengthy, and that had been the subject of much criticism.

44. Ms. ONDRÁŠOVA (Slovak Republic) said that all citizens were guaranteed the right to education under the Constitution and that primary education was compulsory for 10 years from the beginning of the school year following the child's sixth birthday. Education at the primary, secondary and tertiary levels was free of charge and primary and secondary schooling were regulated by the School Act. A decree provided for the presence of counselling facilities, including a child psychologist, in schools.

45. The School Act determined which children should be placed in special schools and under what conditions. Earlier that year, the Act had been amended to abolish the provision which had made it possible for children to be freed from compulsory education if deemed necessary. Children were systematically examined after school admission, and if it was found that they were not apt for attendance at a regular school, psychological and medical tests were conducted to determine whether the child's entry into primary education should be postponed or whether he or she should be placed in a special school. The legislation in force stipulated that children could not be placed in special schools without the agreement of their legal representative.

46. The State party faced the problem of a comparatively higher number of Roma children in special primary schools. Since September 2000, an experimental programme for integrating socially-disadvantaged children, specifically Roma children, into the school system had been started but it was too early to predict its outcome. It should be emphasized, however, that a child was placed in a special school only if necessary. The Ministry of Education had provided guidelines for teachers and school counselling services in that regard. Although the relevant legislation existed, it was still necessary to provide such assistance because social and linguistic retardation were different from mental retardation.

47. As far as increased awareness of child rights was concerned, the State party had furnished the Office of the High Commissioner for Human Rights with information on its human rights activities, in accordance with United Nations General Assembly resolution 53/153. Children's rights, human rights and the rights of minorities had been introduced into school curricula, as it was considered important to teach children how to socialize and accept other people, in short, how to live in society. The programme started at the pre-school stage using music, the arts and other cultural activities and continued throughout the following stages.

48. Ethics and religion were now being taught in primary schools. It was hoped that the following year a survey would be conducted across the board to evaluate the impact of the measures and to see whether children had acquired knowledge about their rights, which teachers were expected to impart from the beginning of the school year. At the secondary school level, the State worked in close cooperation with NGOs on projects such as the "Children's Rights Olympics" inter-school competition.

49. Concerning training programmes for teachers, he said that in 1999 the Government had approved the establishment of a special advisory body for children and young people which included all relevant sectors, and a seminar had been held to evaluate the performance of the advisory body and to chart its future. The Ministry of Education had established a new national education programme which would continue for the next 20 years. Since 1998, the ministry had been analysing the situation thoroughly in order to create a comprehensive programme which depended, to a large extent, on the content of new legislation and funding.

50. *Mr. PALOV* (Slovak Republic), referring to article 11 of the Constitution and its bearing on the Convention, said that before any international instrument was ratified the relevant items in the domestic legislation were carefully studied and all pertinent provisions of the international instrument were incorporated into the national legislation. The State had committed itself, pursuant to Constitutional Court ruling No. 47/1991, to implementing children's rights as set

forth in the Convention, and all public authorities were expected to protect those rights. Failure on the part of local authorities to protect children's rights constituted a violation of article 19 (2) of the Constitution and articles 3 and 16 of the Convention.

51. In one case, a child's rights had been considered to have been violated under articles 3 and 16 of the Convention, the plaintiff claiming that her child had been attacked by other children and had had to be hospitalized. The court had invoked article 19 of the Constitution and article 16 of the Convention, which protected children from unlawful interference with their privacy, a clear demonstration that the Convention was implemented in the State party's legal system. Children were offered the necessary protection in civil and criminal cases in the presence of their legal representatives, whether parents, guardians or legal custodians. Children could also lodge complaints relating to criminal offences, which were then investigated. The police were duty bound to accept all complaints regardless of the age of the complainant.

52. Judges permitted children to express their views in court unless they felt that the proceedings would be morally damaging for children. Children had even been heard in custody cases. Concerning the right to non-discrimination, the most recent amendments to the State party's criminal legislation were in line with European standards, with the burden of proof lying with the plaintiff. The Criminal Code devoted an entire section to discrimination and the rights of individuals. The State party had entered no reservation to article 7 of the Convention and experienced no problems with regard to birth registration.

53. The skinhead issue was closely related to racial discrimination. There had been recent racially-motivated attacks by skinheads not only against the Roma population but against foreigners in general. Skinheads formed part of the "White Power" movement which had been introduced into the Slovak Republic after the collapse of the iron curtain and the subsequent dramatic increase in contact with foreign countries, so it could be said that the skinhead movement had been imported from Western countries. However, the skinheads did not represent a major threat because they were closely monitored by the police. The movement was not a big one; it had approximately 1,000 members, and was not registered as a political party or a civic association because such organizations were barred from official registration on account of their beliefs. The skinheads were made up of small groups without a common philosophy, which meant that they did not have a lot of political power.

54. In cases where skinheads had attacked other citizens, they had been detained, and, in some recent cases, tried and convicted. In one particularly horrendous case in which a Roma boy had been doused with petrol and set on fire, the penalty had been extremely harsh because of the gravity of the crime. Such cases were considered to be criminal cases and under the Criminal Code, penalties were meted out to punish specific criminal acts as one sure way of ensuring respect for the law. In reply to another question, he said that prevention programmes made use of the media in addition to one-on-one contacts.

55. With regard to the hearing of witnesses, the word rendered as "examination" in the text of the report would have been better translated as "hearing" because, in effect, that was what the court did. Concerning legislation, as bills relating to the Convention were adopted by the Government, there was no need for a specific provision to ensure that they were enacted. Replying to a question about training programmes, he said that "Matra", meaning "act

normally", was a two-year project involving the Slovak and Dutch police which had begun in October 1999 and was being implemented throughout the Slovak Republic. Under the programme the children were informed about their rights and how those rights were protected.

56. Training was provided for the different State institutions, such as the Office of the Prosecutor General. In June 2000, a seminar had been organized on the protection of citizens' rights and on the Ombudsman. In fact, the police and all the other State institutions were being prepared for the establishment of the Ombudsman. The curricula at police academies included issues arising from the Convention, and police officers were therefore acquainted with human rights and child rights. It was necessary to organize more courses of that type, as some of the people to be trained had no legal background. It was important for Slovaks to be made aware of the Convention and of the fact that their country was a party to it.

The meeting rose at 1 p.m.